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Date of Deposit: December 6, 2006

Attorney Docket No.: 20363-021



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Korsmeyer, et al.

SERIAL NUMBER: 10/658,028

EXAMINER : Lei Yao

FILING DATE: September 9, 2003

ART UNIT : 1642

FOR: BH3 PEPTIDES AND METHOD OF USE THEREOF

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited References: B1-B2; C40-C41; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 20363-021.

A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529

Cynthia A. Kozakiewicz, Reg. No. 42,764

Attorneys for Applicants

c/o MINTZ, LEVIN

Address all written correspondence to

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Tel: (617) 542-6000

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Date: December 6, 2006



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed within the three months of the mailing date of the Supplementary Partial Search Report for EP 03 74 9602, mailed September 28, 2006. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Korsmeyer et al.**
U.S.S.N.: **10/658,028**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 20363-021.

Respectfully submitted,



Ivor R. Efrifi, Reg. No. 39,529
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Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number		10/658,028	
				Filing Date		September 9, 2003	
				First Named Inventor		Korsmeyer	
				Group Art Unit		1642	
				Examiner Name		Lei Yao	
				Attorney Docket Number		20363-021	
U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
	B1	WO	00/59526	THOMAS JEFFERSON UNIV.	10/12/00		
	B2	WO	01/12661 A2	GOV. OF THE U.S.A., AS REPRESENTED BY THE SECRETARY, DEPT. OF HEALTH AND HUMAN SERVICES, THE NATL. INST. OF HEALTH; PRESIDENT AND FELLOWS OF HARVARD COLLEGE	02/22/01		
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	C40	Werner et al., "Bcl-2 Family Member Bfl-1/A1 Sequesters Truncated Bid to Inhibit its Collaboration With Pro-Apoptotic Bak or Bax". <i>J. Biol. Chem.</i> , 277(25):22781-22788 (2002)					
	C41	Supplementary Partial European Search Report for EP 03 74 9602, mailed September 28, 2006.					

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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